

FITCH, EVEN, TABIN & FLANNERY
ATTORNEYS AND COUNSELLORS AT LAW
Established in 1859

SUITE 1600 - 120 SOUTH LA SALLE STREET
CHICAGO, ILLINOIS 60603-3406
TELEPHONE (312) 577-7000
FACSIMILE (312) 577-7007

DATE: August 3, 2004

NO. OF PAGES: Cover +3

FROM: Bruce Mansfield

OUR FILE NO.:

TO: **VIA FACSIMILE 703-746-3254 and 703-872-9306**
Examiner: JOHN SIPOS
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FAX RECEIVED
AUG 18 2004
GROUP 3700

The documents accompanying this facsimile transmittal cover sheet contain information from the law firm of Fitch, Even, Tabin & Flannery which may be confidential and/or legally privileged. The documents are intended only for the personal and confidential use of the addressee identified above. If you are not the intended recipient or an agent responsible for delivering these documents to the intended recipient, you are hereby notified that any review, disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmitted information is strictly prohibited. If you have received this facsimile in error, please immediately notify the Firm so that we can arrange for the return of the original documents to us. Thank you.

PATENT
Attorney Docket 79343

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kinigakis et al.
 Appln. No.: 10/659,925
 Filed: September 11, 2003
 For: APPARATUS FOR
 MANUFACTURING FLEXIBLE
 PACKAGES HAVING SLIDE
 CLOSURES
 Group Art
 Unit: 3721
 Examiner: John Sipos


CERTIFICATE OF FACSIMILE

Date of Transmission **AUG 03 2004**

I hereby certify that this paper was transmitted via facsimile to (703) 872-9306 and (703) 746-3254 under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Bruce R. Mansfield, Reg. No. 29,086

(Typed or printed name of person mailing)


 (Signature of person mailing)

TERMINAL DISCLAIMER

(VIA FACSIMILE 703-872-9306 and 703-746-3254)

Attention: Examiner John Sipos
 Assistant Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Kraft Foods Holdings, Inc., the owner of the entire right, title and interest in and to above-captioned Application No. 10/659,925 ("the instant application"), and of the entire right, title, and interest in and to a second pending Application, No. 10/659,921 (Attorney Docket No. 79354, hereinafter "the second application"), hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term of any patent granted on the second application, and hereby agrees that any patent granted on the instant application shall be

348320

- 1 -

FAX RECEIVED
AUG 18 2004
GROUP 3700

enforceable only for and during such period that it and any patent granted on the second application shall be commonly owned.

The owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term of any patent granted on the second application in the event that the latter patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole under 35 U.S.C. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term.

This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), please charge \$110.00 to our Deposit Account No. 06-1135. This sheet is filed in triplicate.

The undersigned is an attorney of record in the instant application.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By:


Bruce R. Mansfield
Registration No. 29.086

AUG 03 2004

Date: _____

120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-4277
(312) 577-7000

PATENT
Attorney Docket 79343

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kinigakis et al.
Appln. No.: 10/659,925
Filed: September 11, 2003
For: APPARATUS FOR
MANUFACTURING FLEXIBLE
PACKAGES HAVING SLIDE
CLOSURES
Group Art
Unit: 3721
Examiner: John Sipos

CERTIFICATE OF FACSIMILE

Date of Transmission AUG 03 2004

I hereby certify that this paper was transmitted via facsimile to (703) 872-8306 and 703-746-3254 under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Bruce R. Mansfield, Reg. No. 29,086

(Typed or printed name of person mailing)

(Signature of person mailing)

COMMUNICATION

(VIA FACSIMILE 703-872-9306 and 703-746-3254)

Attention: Examiner John Sipos
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is an executed Terminal Disclaimer for the above-identified application as requested by the Examiner in a conference on July 31, 2004. Applicants respectfully request that this Terminal Disclaimer be entered into the file.

FITCH, EVEN, TABIN & FLANNERY

By: 

Bruce R. Mansfield
Registration No. 29.086

Date: AUG 03 2004

120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-4277
(312) 577-7000